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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/699,057	DILLENBURG ET AL.
	Examiner	Art Unit	
	MICHAEL YAARY	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
> WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
>   after SIX (6) MONTHS from the mailing date of this communication.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
>   Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
>   earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *09/12/2008*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-22 and 24-27* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-22 and 24-27* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-22 and 24-27 are pending in the application.

Response to Arguments

2.   Applicant's arguments filed 09/12/2008 have been fully considered but they are
not persuasive.

       Applicant argues that A) Noble does not teach "a method for distributing software
components to a plurality of test stations that each analyze products," as recited in claim
1; B) Noble does not teach "distributing the software, component, from the test
management system to the workstation automatically," as recited in claim 1; C) one of
ordinary skill in the art would have no reason to implement Mutchler's method for
installing software onto a unit under test into Noble's architecture, and thus the rejection
of claim 1 is improperly based on hindsight reconstruction; D) the device handler of
Proskauer is not the same as the "instrument used to test the product," as recited in
claim 1; E) Proskauer does not teach "downloading at the computer station an
equipment file set including said software component, said equipment file set directing
the computer station to operate the instrument to analyze the product," as recited in
claim 1; F) Proskauer does not teach a "protocol identification file in an equipment file
set," as in claim 8; G) Proskauer does not teach the claimed calibration file as recited in

claim 9; H) No reason exists to modify the teachings of Kittross, Proskauer, and

Mutchler as in claim 15; I) Noble does not teach the database is located remotely from

the computer station as in claim 15; and J) Blitz does not make up the deficiencies of

claims 26 and 27.

3.   With respect to argument A) examiner respectfully disagrees. Abstract and

column 1, lines 12-19 disclose a distributive environment for development and

execution of test programs for a programmable tester of circuits, thus being equivalent

to the method as claimed in the preamble of claim 1.

4.   With respect to argument B) examiner respectfully disagrees. The cited portions

in Noble clearly show an automatic distribution of software from the test management

system to the workstation. Figure 1 discloses the specific configuration of the

distributive system and column 1, line 53-column 2, line 42 teach of development of the

tester programs for the testing of circuits.

5.   With respect to argument C) examiner respectfully disagrees. In response to

applicant's argument that the examiner's conclusion of obviousness is based upon

improper hindsight reasoning, it must be recognized that any judgment on obviousness

is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long

as it takes into account only knowledge which was within the level of ordinary skill at the

time the claimed invention was made, and does not include knowledge gleaned only

from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*,

443 F.2d 1392, 170 USPQ 209 (CCPA 1971). In this case Noble teaches the

development and execution of test programs for the testing of circuit. Mutchler is

directed to configuring a unit under test. Thus, both references are directed towards the

field of developing programs for device testing; and both references are properly used in

combination as cited in the rejection.

6.   With respect to argument D) examiner respectfully disagrees. Proskauer

discloses the testing system utilizing together tester 2002 and handler 2004 to perform

the device testing as cited. Further Proskauer, column 2, lines 11-27 disclose a specific

instrument provided for testing. Thus, Proskauer is sufficient in teaching "an instrument

is used to test the product."

7.   With respect to argument E) examiner respectfully disagrees. The cited portion of

Proskauer and figure 2, disclose handler 2004 used in conjunction with tester 2002 as

part of the testing environment. Further, particular driver software for the handler is

obtained for operation in the workstation and thus is equivalent to the claimed

equipment file set.

8.   With respect to argument F) examiner respectfully disagrees. The cited portion of

Proskauer discloses the communication interface and the way communication is done in

the test environment; thus equating to communications protocol. Applicant argues on

page 6, lines 4-5 that "Proskauer....do not create, nor save, the claimed protocol

identification file." This however is not found in the limitations of claim 8. Claim 8 does

not recite creating then saving the file communication protocol file. Thus, when given

the broadest reasonable interpretation, Proskauer teaches the claimed limitation.

9.   With respect to argument G) examiner respectfully disagrees. Examiner has

disclosed how the handler along with the tester in Proskauer teach the instruments as

part of the testing. Further column 6, lines 24-27 of Proskauer discloses the

programming involved, thus equivalent to the calibration.

10.   With respect to argument H) examiner respectfully disagrees. Applicant argues

that no reason exists to modify the teachings of Kittross, Proskauer, and Noble as in

claim 15. Examiner believes there is sufficient reason to combine the references. In

response to applicant's argument that there is no suggestion to combine the references,

the examiner recognizes that obviousness can only be established by combining or

modifying the teachings of the prior art to produce the claimed invention where there is

some teaching, suggestion, or motivation to do so found either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art.

See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958

F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Kittross is directed to a test

procedure for testing a device using automatic test equipment; Proskauer is directed to

a software control system in a testing environment; and Noble is directed the

development and execution of test programs for the testing of circuit. All three references are in the same field of endeavor and contain sufficient reasons to make the combination as cited in the rejection.

11.   With respect to argument I) examiner respectfully disagrees. The rejection clearly teaches in Noble where a server (test management system) is located remotely from tester 110 (test station), that stores the programs to be accessed.

12.   With respect to argument J) examiner respectfully disagrees. Applicant argues that the workbook of Blitz does not teach "enables a user to track relationships between said instrument and said computer station. " Blitz discloses (column 4, lines 38-67) building template data structure to be used during testing. This is done using workbook 312. The workbook holds data and the data manager assembles parameter data structures that hold specific data that is passed to the tester during testing. Thus, when combined with the teachings of Kittross and Proskauer, this data can be interpreted as relationship data as well as other stored parameter data. Furthermore, the pre-release tool as recited in claim 27 is interpreted as the passing of data form the workbook to the testing environment (column 4, lines 61-68).

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

14.   Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Noble (US Pat. 5,892,949) in view of Mutchler (US Pat. 6,889,157) and Proskauer (US

Pat. 5,828,674).

15.   Mutchler and Proskauer were cited in the previous office action dated

06/12/2008.

16.   **As to claim 1,** Noble discloses a method for distributing software components to

a plurality of test stations (abstract and column 1, lines12-19), said method comprising:

        Accessing a test management system that is located remotely from the test

stations, the test stations each analyze products, the test management system storing a

plurality of software components (Column 3, lines 48-56 and figure 1 discloses a server

120c (test management system), located remotely from tester 110 (test station), that

stores test programs to be accessed.);

        Obtaining at least one of the software components that includes information used

by a computer station which communicates with a test station to analyze a product

(Column 1, lines 12-19; column 3, lines 48-56; and figure 1 disclose a workstation 120a

(computer station) in communication with tester 110 to test products such as circuits in

using the stored products obtained from server 120c.); and

Distributing the software component, from the test management system, to the

computer station automatically (column 1, line 53-column 2, line 42; column 3, lines 48-

56; and figures 1 and 3).

17.   Noble does not disclose that the distributing of the software component is based

on at least one of an identification of the test station and an identification of the product.

However, Mutchler discloses that the distributing of the software component is based on

at least one of an identification of the test station and an identification of the product

(Column 1, lines 42-55 disclose installing and configuring test files for a specific device

under test based on a unique identifier that corresponds to the specific device under

test and thus can be taken in combination with the distributive communication means of

Noble.).

18.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the teachings of Noble, by configuring testing files based

on identification information, as taught by Mutchler, for the benefit of providing greater

efficiency in processing as one would be motivated to make the combination in order to

reduce the time for configuration and distribution.

19.   The combination of Noble and Mutchler do not disclose wherein an instrument is used to test the product; and downloading at the computer station an equipment file set including said software component, said equipment file set directing the computer station to operate the instrument to analyze the product.

       However, Proskauer discloses wherein an instrument is used to test the product; and downloading at the computer station an equipment file set including said software component, said equipment file set directing the computer station to operate the instrument to analyze the product (Column 2, lines 11-27 and column 5, line 66-column 6, line 4 disclose individual driver software (equipment file set) associated with handlers in conjunction with the tester used for operation in a particular workstation, regardless of the product tested.).

20.   Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Noble and Mutchler, by associating specific drivers for different equipment at different workstations as taught by Proskauer, for the benefit of creating smaller and more simple driver modules for instrument control (Proskauer column 6, lines 5-6).

21.   **As to claim 2,** the combination of Noble, Mutchler, and Proskauer disclose an equipment file set including said software component, said equipment file set directing the computer station to operate an instrument, said equipment file set being uniquely associated with the computer station and independent of the product (Proskauer,

Column 5, line 66-column 6, line 4 disclose individual driver software (equipment file

set) associated with handlers (instruments) used for operation in a particular

workstation, regardless of the product tested.).

22. **As to claim 3,** the combination of Noble, Mutchler, and Proskauer disclose

downloading at the computer station an equipment file set that is uniquely associated

with the computer station and the instrument and said equipment file set being

independent of the product (Column 5, line 66-column 6, line 4 disclose individual driver

software (equipment file set) associated with handlers (instruments) used for operating

the instrument in a particular workstation, thus controlling and analyzing the product,

regardless of what product is tested.).

23. Claims 4-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Noble in view of Mutchler and Proskauer as applied to claim 1 above, and further in

view of Kittross et al. (hereafter Kittross)(US Pat. 6,681,351).

24. Kittross was cited in the previous office action dated 06/12/2008.

25. **As to claim 4,** the combination of Noble, Mutchler, and Proskauer do not

disclose the obtaining being done by downloading at the computer station a test

program set, said test program set directing the computer station to analyze the

product, and said test program set being uniquely associated with the product and being associated with the computer station.

However, Kittross discloses the obtaining being done by downloading at the computer station a test program set, said test program set directing the computer station to analyze the product, and said test program set being uniquely associated with the product and being associated with the computer station (Kittross, column 4, lines 7-12 and 55-58).

26.   Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Noble, Mutchler, and Proskauer, by utilizing specific test procedures and instructions for a specific task, as taught by Kittross, for the benefit of testing specific device in a consistent automated manner based on the specific test program (Kittross, column 1, lines 40-42).

27.   **As to claim 5,** the combination of Noble, Mutchler, Proskauer, and Kittross disclose an instrument is used to test the product (Kittross, column 6, lines 45-47), said obtaining step comprises downloading at the computer station a test program set, said test program set directing the computer station to analyze the product, and said test program set being uniquely associated with the product and being associated with the computer station and the instrument (Kittross, column 4, lines 7-12 and 55-58).

28.   **As to claim 6,** the combination of Noble, Mutchler, Proskauer, and Kittross

disclose testing the product with an instrument based on the software component,

wherein the instrument is at least one of a power supply, a communication analyzer, a

signal generator, and a frequency counter (Kittross, column 6, lines 45-47 and column

11, lines 25-30 disclose a power supply).

29.   **As to claim 7,** the combination of Noble, Mutchler, Proskauer, and Kittross

disclose downloading at the computer station at least one of a communication file, a

configuration file, a calibration file, a test executive file, a test sequence file, a

specification file, and a test step execution file (Mutchler, column 4, lines 38-42 disclose

a configuration file).

30.   **As to claim 8,** the combination of Noble, Mutchler, Proskauer, and Kittross

disclose a database for storing software components (Kittross, test element database

36 of figure 1); multiple equipment file sets (Proskauer, column 2, lines 11-27 and

column 5, line 66-column 6, line 4 disclose individual driver software (equipment file set)

associated with handlers in conjunction with a tester used for operating the instrument

in a particular workstation, thus controlling and analyzing the product), each equipment

file set including at least one file identifying communications protocols between the

computer station, the product and the instrument used to test the product (Proskauer,

Column 6, lines 21-27 and lines 34-39 disclose the way communication is done in the

test station environment, thus providing a communications protocol.).

31.   **As to claim 9,** the combination of Noble, Mutchler, Proskauer, and Kittross disclose a database for storing multiple software components (Kittross, test element database 36 of figure 1); multiple equipment file sets (Proskauer, column 2, lines 11-27 and column 5, line 66-column 6, line 4 disclose individual driver software (equipment file set) associated with handlers in conjunction with a tester used for operating the instrument in a particular workstation, thus controlling and analyzing the product), and each equipment file set including at least one file identifying a calibration for an instrument to be used by the computer station to analyze the product (Proskauer, Column 6, lines 24-27 disclose programming the handler (instrument) appropriately, thus calibrating accordingly for testing).

32.   **As to claim 10,** the combination of Noble, Mutchler, Proskauer, and Kittross disclose analyzing at least one of a printed circuit board assembly, a combination of the printed circuit board assemblies, a module, a circuit pack, a field replaceable unit (FRU), a processor, a memory, and a cable (Mutchler, Unit under test 105 of figure 9).

33.   **As to claim 11,** the combination of Noble, Mutchler, Proskauer, and Kittross disclose storing, in a database, multiple test program sets (Kittross, column 4, lines 7-12), each of which includes at least one test step execution file that identifies steps to be executed by an instrument configured to test the product, wherein said obtaining step comprises accessing the test step execution file (Kittross, column 3, lines 58-66).

34.   **As to claim 12,** the combination of Noble, Mutchler, Proskauer, and Kittross

disclose said test management system comprises a management file service accessed,

by the computer station, to download software component updates (Noble, column 5,

lines 5-21).

35.   Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Noble in view of Mutchler and Proskauer as applied to claim 1 above, and further in

view of Blitz (US Pat. 6,047,293).

36.   Blitz was cited in the previous office action dated 06/12/2008.

37.   **As to claim 13,** the combination of Noble, Mutchler, Proskauer do not disclose

storing a relationship between the software components, products, instruments, and

computer stations.

    However, Blitz discloses storing a relationship between the software

components, products, instruments, and computer stations (Column 5, lines 54-55 and

column 6, lines 11-13 and 38-42 disclose different types of information being stored

regarding the Excel workbook. Also it is mentioned that the spreadsheets contain all

data required for a test, thus making it obvious that relationship data regarding products,

instruments, and computer stations would be necessary as they are relevant pieces of

information needed for testing.).

38.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the teachings of Noble, Mutchler, and Proskauer by,

storing relationships regarding different components of the test system as taught by

Blitz, for the benefit of creating an efficient and organized means of accessing relevant

information necessary for product testing.

39.   **As to claim 14,** the combination of Noble, Mutchler, Proskauer, and Blitz

disclose storing in database information identifying multiple products, test stations used

to test each product, instruments used to test the products, and fixtures used to hold the

products (Blitz, Data manager 316 in figure 2, and column 5, lines 54-56 disclose how

all required data regarding testing is stored in the data manger, thus being obvious that

test station, instrument, and fixture information would be included as their data are

required pieces of information necessary for testing.).

40.   Claims 15-22 and 24-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kittross in view of Proskauer and Noble.

41.   **As to claim 15,** Kittross discloses a management system database configured to

be used with a computer station that operates an instrument (test interface 28 of figure

1) when analyzing a product (test devices 46-1 – 46-X and test element database 36 of

figure 1; abstract, lines 1-3; and column 12, lines 40-41).

42.   Kittross does not disclose the database storing software components that are

configured to be executed by the computer station to communicate with and operate the

instrument in order to analyze the product, said database automatically accessing said

software components based on identification of at least one of the computer station, the

instrument and the product.

        However, Proskauer discloses the database storing software components that

are configured to be executed by the computer station to communicate with and operate

the instrument in order to analyze the product, said database automatically accessing

said software components based on identification of at least one of the computer

station, the instrument and the product (Column 6, lines 17-38 disclose how

communication is done in a testing environment by the computer station communicating

with the handler or instrument, thus providing communication procedures and

components that can be stored in the database when combined with the teachings of

Kittross.).

43.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the teachings of Kittross, by implementing software

components used to communicate with and operate the instruments, as taught by

Proskauer, in order create a flexible easy to use test system allowing for changes to be

made as necessary to the varying testing requirements.

44.   The combination of Kittross and Proskauer do not disclose said database is

located remotely from said computer station. However, Noble discloses said database is

located remotely from said computer station (Column 3, lines 48-56 and figure 1

discloses a server 120c (test management system), located remotely from tester 110

(test station), that stores test programs to be accessed).

45.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the teachings of Kittross and Proskauer, by implementing

a database remotely located from the computer station, as taught by Noble, for the

benefit of efficiently distributing software components to a plurality of different computer

stations.

46.   **As to claim 16,** the combination of Kittross, Proskauer, and Noble disclose said

software components are organized into at least one equipment file set defining a

station specific test solution to be executed by the computer station to direct the

instrument to perform a test solution, said equipment file set being uniquely associated

with the computer station and the instrument, said equipment file set being independent

of the product (Proskauer, Column 5, line 66-column 6, line 4 disclose individual driver

software (equipment file set) associated with handlers (instruments) used for operation

in a particular workstation, thus allowing the instrument to perform a particular testing

solution, regardless of what product is being tested.).

47.   **As to claim 17,** the combination of Kittross, Proskauer, and Noble disclose said

software components are organized into at least one test program set that defines a

product specific test solution to be executed by the computer station to direct the

instrument (Kittross, test interface 28 of figure 1) to perform a test solution on the

product (Kittross, test devices 46-1 – 46-X of figure 1), said test program set being

uniquely associated with the product, said test program set being associated with the

instrument and the computer station (Kittross, column 4, lines 7-12 and 55-58).

48.   **As to claims 18 and 25,** the combination of Kittross, Proskauer, and Noble

disclose said software components correspond to at least one of a communication file, a

configuration file, a calibration file, a test executive file, a test sequence file, a

specification file, and a test step execution file (Kittross, Column 4, lines 50-54 disclose

obtaining instructions for testing, thus a test step execution file).

49.   **As to claims 19 and 24,** the combination of Kittross, Proskauer, and Noble

disclose discloses said software components are configured to control the computer

station to analyze at least one of a printed circuit board assembly, a combination of

printed circuit board assemblies, a module, a circuit pack, a field replaceable unit (FRU),

a processor, a memory, and a cable (Kittross, Column 4, lines 17-19 disclose testing a

circuit board.).

50.   **As to claim 20,** the combination of Kittross, Proskauer, and Noble disclose said

software components define an equipment file set that, when executed by the computer

station, calibrates an instrument to execute a test sequence (Proskauer, Column 6, lines

24-27 disclose programming the handler (instrument) appropriately, thus calibrating

accordingly for testing).

51.   **As to claim 21,** Kittross discloses a computer station configured to control

operation of an instrument (test interface 28 of figure 1) as the instrument analyzes a

product (abstract and test devices 46-1 – 46-X of figure 1, automatic test equipment

system (ATE) 20 of figure 1), said computer station controlling the instrument based on

an equipment file set (column 4, lines 7-12 and 55-58), a test station communicating

with said computer station and said instrument (Column 4, lines 48-58 and figure 1

disclose the claimed computer station and test station as described by the instant

application in figure 1 and [0014] of the specification; The computer station containing

memory and being a part or a subset of the test station, which is made up of the

computer station, product, and instrument. Figure 1 of Kittross discloses the test station

as a whole containing a computer station. Column 4, lines 48-58 disclose how the ATE

(test equipment or test station) obtains a test procedure from memory (obtaining it from

the computer station part of the test station), thus reading on how the computer station

communicates with test station for obtaining software components.); a management system database in communication with said computer station (test interface 28 of figure 1 and column 4, lines 7-47), said database being accessible by said computer station, wherein said computer station controls said instrument during analysis of the product based on said equipment file set (column 4, lines 7-47).

52.   Kittross does not disclose said database storing said equipment file set, and wherein said equipment file set includes a set of software components associated with said test station and independent of said product.

        However, Proskauer discloses said database storing said equipment file set, and wherein said equipment file set includes a set of software components associated with said test station and independent of said product (Column 5, line 66-column 6, lines 38 disclose equipment file sets associated with handlers (instruments) used for operation in a particular workstation regardless of the product tested, and how communication is done in a testing environment by the computer station communicating with the handler or instrument, thus providing communication procedures and components that can be stored in the database when combined with the teachings of Kittross as utilizing a database for storage would provide a more efficient means of organizing components and procedures to be communicated.).

53.   Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Kittross, by utilizing the database of

Kittross to store the equipment file set and components taught by Proskauer, for the

benefit of providing a more efficient means of organization and storage of the

components and procedures to be communicated.

54.   The combination of Kittross and Proskauer do not disclose the management

system database is located remotely from said computer station. However, Noble

discloses the management system database is located remotely from said computer

station (Column 3, lines 48-56 and figure 1 discloses a server 120c (test management

system), located remotely from tester 110 (test station), that stores test programs to be

accessed).

55.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the teachings of Kittross and Proskauer, by implementing

a database remotely located from the computer station, as taught by Noble, for the

benefit of efficiently distributing software components to a plurality of different computer

stations.

56.   **As to claim 22,** the combination of Kittross, Proskauer, and Noble disclose said

computer station controls said instrument during analysis of the product based on said

test program set, wherein said test program set is stored by said database and includes

a set of software components that are specific to the product and associated with at

least one of said computer station and said instrument (Kittross, column 4, lines 7-47)

and discloses said computer station controls said instrument during analysis of the

product based on said equipment file set (Proskauer, column 5, line 66-column 6, lines

38).

57.   Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Kittross in view of Proskauer and Noble, as applied to claim 21 above, and further

in view of Blitz.

58.   **As to claim 26,** the combination of Kittross, Proskauer, and Noble do not

disclose a developer file that enables a user to track relationships between said

instrument and computer station.

        However, Blitz discloses a developer file that enables a user to track

relationships between said instrument and computer station (Column 2, lines 50-54

discloses a workbook (developer file) containing nested levels of device parameter data,

thus being capable of tracking relationships between instrument and computer station.).

59.   Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the teachings of Kittross, Proskauer, and Noble by,

incorporating a spreadsheet workbook for tracking and maintaining data as taught by

Blitz, for the benefit of efficiently increasing data retrieval speed during testing.

60.   **As to claim 27,** the combination of Kittross, Proskauer, Noble, and Blitz disclose

a pre-release tool that is used to release information generated in a developer file (Blitz,

Column 4, lines 61-68 disclose passing information from the workbook (developer file)

to be tested, thus releasing the information.).

Conclusion

61.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MICHAEL YAARY whose telephone number is

(571)270-1249. The examiner can normally be reached on Monday-Friday, 8:00 a.m -

5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lewis Bullock can be reached on (571) 272-3759. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. Y./
Examiner, Art Unit 2193

/Lewis A. Bullock, Jr./
Supervisory Patent Examiner, Art Unit 2193